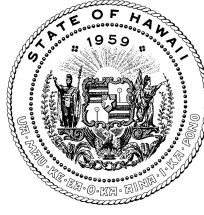


DAVID Y. IGE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
Leimana DaMate, Executive Director

Before the House Committee on Finance

Monday, April 27, 2015
2:00 P.M.
State Capitol, Conference Room 308

IN SUPPORT of SCR 55 SD 1

Requesting the Aha Moku Advisory Committee to engage stakeholders in order to develop and adopt rules for its operation and administration.

SCR 55 SD1 requests the Aha Moku Advisory Committee (AMAC), with the assistance of the Department of Land and Natural Resources (DLNR), the Office of Hawaiian Affairs (OHA) and the Association of Hawaiian Civic Clubs engage stakeholders for the purpose of developing and adopting rules for its operation and administration; and, that the AMAC report back to the Legislature regarding the development and adoption of rules prior to the convening of the Regular Legislative Session of 2016. **The Aha Moku Advisory Committee supports this resolution.**

The Legislature's intent in Act 288 is to authorize the AMAC to include providing opportunities for Hawaiians to work together to exhibit traditional Hawaiian values and customs that could be applicable to modern governmental affairs. It is also the intent of the Legislature that the AMAC have some independence from state government in its role working alongside and advising state government with regard to Hawaiian traditional and generational values, practices and cultural and natural resource management.

Act 288 was passed in Regular Session of the Legislature in 2012 but did not become operational until June of 2013. However, in keeping with the intent of the Legislature, in 2013 the Po'o members of the AMAC created and ratified a Strategic Plan that describes the foundation and history of the Aha Moku System, its strategy, the mandates of Act 288, and process. This Plan continues to be widely distributed to participants in every community and educational meeting held on every island and continues to be given out freely. All indications show that this plan is accepted as we received no opposition. However, it is also understood that due to budget and time constraints, the AMAC was not able to reach everyone; and, additional guidance and input is always welcome.

The AMAC supports SCR 55 SD 1 and asks that this measure be passed.



SCR55 SD1
REQUESTING THE AHA MOKU ADVISORY COMMITTEE TO ENGAGE STAKEHOLDERS
IN ORDER TO DEVELOP AND ADOPT RULES FOR ITS OPERATION AND
ADMINISTRATION
House Committee on Finance

April 27, 2015

2:00 p.m.

Room 308

The Office of Hawaiian Affairs (OHA) offers the following **COMMENTS** on SCR55 SD1, which urges the Aha Moku Advisory Committee (Advisory Committee) to consult with stakeholders in adopting operational and administrative rules, with the assistance of the Department of Land and Natural Resources (DLNR), the Association of Hawaiian Civic Clubs, and OHA.

The Advisory Committee has a commendable mission of advising the Chairperson of the Board of Land and Natural Resources (BLNR) on such important matters as:

- Integrating indigenous resource management practices with Western management practices in each moku;
- Fostering the understanding and practical use of Native Hawaiian resource knowledge, methodology, and expertise; and
- Sustaining the state's marine, land, cultural, agricultural, and natural resources.

OHA believes that the traditional, place-based approach underlying the Advisory Committee's mission has the potential to significantly improve environmental stewardship throughout our islands, by allowing the management of lands and resources to be guided by local communities with the most knowledge of their place. Although the Advisory Committee's mission and efforts may benefit all who call Hawai'i home, OHA has now become its sole funder, and has provided the Advisory Committee with nearly \$250,000 in OHA trust funds to support its continued operations. As OHA has previously testified, OHA believes it appropriate for the state to now resume funding this important and innovative approach to natural and cultural resource management.

With respect to the instant resolutions, it is unclear whether they intend for the Advisory Committee to eventually adopt its own rules, as may be most consistent with the legislative intent behind its establishment. OHA notes that the Advisory Committee currently lacks its own administrative rulemaking authority under statute. See HRS § 171-4.5. Rather, only the BLNR currently has the statutory authority to promulgate rules under Hawai'i Revised Statutes Chapter 91 for the purposes of carrying out the Advisory Committee's mission.

If these resolutions do intend for the BLNR to adopt rules under Chapter 91 on behalf of the Advisory Committee, OHA notes that such an approach may be inconsistent with the legislative intent relating to the Advisory Committee's independence from state government.

Mahalo for the opportunity to testify on these measures.



Association of Hawaiian Civic Clubs

P. O. Box 1135
Honolulu, Hawai'i 96807

HOUSE COMMITTEE ON FINANCE

SCR55, SD1 REQUESTING THE AHA MOKU ADVISORY COMMITTEE TO ENGAGE STAKEHOLDERS IN ORDER TO DEVELOP AND ADOPT RULES FOR ITS OPERATION AND ADMINISTRATION

Monday, 4/27/15; 2:00 pm; Room 308

Aloha Madam Chair Luke, Vice Chair Nishimoto and members of the House Finance Committee. The Association of Hawaiian Civic Clubs supports this resolution that will develop and put into place rules for the operation and administration of the Aha Moku Advisory Committee.

Several Hawaiian Civic Clubs have been involved with the Aha Moku from the beginning and the Association has been supportive of those efforts. The development and adoption of rules is seen as a necessary next step toward making the AMAC a viable and useful asset in understanding and preserving certain Native Hawaiian cultural practices. We look forward to continued participation.

Thank you for the opportunity to testify in support of this measure.

Contact: jalna.keala2@hawaiiantel.net

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, April 26, 2015 4:05 PM
To: FINTestimony
Cc: makaala@hawaiian.net
Subject: Submitted testimony for SCR55 on Apr 27, 2015 14:00PM

SCR55

Submitted on: 4/26/2015

Testimony for FIN on Apr 27, 2015 14:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Makaala Kaaumoana	Individual	Oppose	No

Comments: Aloha Finance Committee members, I strongly oppose this measure for many reasons including; we are not funding essential services such as enforcement and expertise for the management of our natural resources and cannot afford this program at this time and I believe that any conduit between community and government is also a filter. Our citizens can advocate for themselves and all information is public. We do not need and cannot afford any extra steps such as the Aha Moku process.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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